

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOSHUA LEE VINSON, SR.,

Plaintiff,

v.

Case No. 19-cv-1237-bhl

JASON DEBRUIN, et al.,

Defendants.

DECISION AND ORDER

Plaintiff Joshua Lee Vinson, Sr., is representing himself in this 42 U.S.C. §1983 action. On January 9, 2024, a jury returned a verdict in favor of Defendants. Dkt. No. 215. On February 7, 2024, Vinson filed a notice of appeal. He seeks to appeal “all orders and final judgment entered in this action.” Dkt. No. 222. On October 8, 2024, Vinson filed a “motion requesting that the fees for transcripts be paid by the United States [pursuant to] 28 U.S.C. 753(f), because Vinson’s appeal is not frivolous.” Dkt. No. 237. The Court granted his motion in part and ordered that the trial transcripts be prepared at the government’s expense. Dkt. No. 239. Vinson filed a motion for reconsideration asking that transcripts for *all* pretrial hearings be prepared at the government’s expense, which the Court denied. Dkt. Nos. 242. 243. Undeterred, Vinson then twice raised his request in the Seventh Circuit Court of Appeals. The appellate court denied both motions, stating that he had not demonstrated a need for additional transcripts. Vinson has now renewed the motion in this Court, explaining for the first time that, in his appeal, he is also challenging the denials of

his motions to appoint counsel.¹ He asserts that transcripts of all pretrial hearings are needed for him to support this challenge. Dkt. No. 244.

As the Court already explained, under 28 U.S.C. §753(f), a party proceeding *in forma pauperis* is entitled to a free transcript after the “trial judge or a circuit judge certifies that the suit or appeal is not frivolous (but presents a substantial question).” “[C]ourts also consider whether the requesting party has demonstrated a particular need for the requested transcripts.” *Westbrook v. Boy Scouts of America*, No. 10-C-4161, 2013 WL 2936488, at *4 (N.D. Ill. June 14, 2013) (collecting cases); *see Vogelsberg v. Kim*, No. 17-cv-596-jdp, 2020 WL 8665293 (W.D. Wis. Dec. 7, 2020).

The Court already concluded that Vinson is proceeding *in forma pauperis* on appeal, and his appeal is not frivolous. In light of Vinson’s further explanation of the issues he is raising on appeal, the Court will grant his motion in part and will order the government to pay for the preparation of a transcript of the October 24, 2023 hearing, during which the Court granted Vincent Angermeier’s motion to withdraw as Vinson’s attorney and during which the Court informed Vinson that it would not recruit a third lawyer to represent him at trial. To the Court’s knowledge, this is the only hearing relevant to Vinson’s claim that the Court denied his request that it recruit counsel to represent him. Vinson has therefore not demonstrated a need for any other transcripts.

Accordingly, the Court will grant Vinson’s motion in part and will order that, pursuant to 28 U.S.C. §753(f), a transcript of the October 24, 2023 hearing (Dkt. No. 188) be prepared at the government’s expense. As a courtesy to Vinson, the Court will forward a copy of this order to the court reporter.

¹ The Court twice recruited counsel to represent Vinson at trial. Both lawyers moved to withdraw based, in part, on challenges working with him. The Court also recruited stand-by counsel to assist Vinson at trial. The Court again expresses its thanks to Jeremiah Hill, Vincent Angermeier, Thomas Shriner, and Elizabeth Stone for the time and efforts they dedicated to helping Vinson and the Court.

IT IS THEREFORE ORDERED that Vinson's second motion that the United States pay for the preparation of transcripts (Dkt. No. 244) is **GRANTED in part** as described in this decision. The clerk's office is directed to forward a copy of this order to the court reporter.

Dated at Milwaukee, Wisconsin on January 23, 2025.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge